

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

MARSHALL VANN, Individually and as §  
Heir and Administrator for the Estate of §  
LENA WELLS, Deceased, and §  
FREDDIE WELLS, Individually and as Heir §  
of the Estate of LENA WELLS, and §  
HAZEL WELLS, Individually and as Heir §  
of the Estate of LENA WELLS, and §  
KENNETH WELLS, Individually and §  
as Heir of the Estate of LENA WELLS, §  
GLENN WELLS, Individually and as Heir §  
of the Estate of LENA WELLS, and §  
PAMELA WELLS, Individually and as Heir §  
of the Estate of LENA WELLS, and §  
GWEN HENDERSON, Individually §  
and as Heir of the Estate of §  
LENA WELLS §

V. §

THE CITY OF LEWISVILLE, TEXAS and §  
STEVE MCFADDEN, As an §  
Individual and in his official §  
capacity as Police Chief of §  
Lewisville, Texas; and §  
DON SMITH, As an Individual and in §  
his official capacity as a Police Officer §  
of Lewisville, Texas; and §  
L.D. RUTHART, As an Individual and in §  
his official capacity as a Police §  
Officer of Lewisville, Texas; and §  
WILLIAM R. OWEN, JR., As an Individual §  
and in his official capacity as a §  
Police Officer of Lewisville, Texas; and §  
T.M. SANDLIN, As an Individual and in §  
his official capacity as a Police §  
Officer of Lewisville, Texas; and §  
STEVE CLUBB, As an Individual and in §  
his official capacity as a Police §  
Officer of Lewisville, Texas §

CIVIL ACTION NO.  
4:91 CV 181

AGREED ORDER OF JUDGMENT PURSUANT TO  
FEDERAL RULE OF CIVIL PROCEDURE 68

NOW COME the parties herein, in each and any of their respective  
capacities, individual or otherwise, and by and through their counsel of

AGREED ORDER OF JUDGMENT PURSUANT TO  
FEDERAL RULE OF CIVIL PROCEDURE 68 - PAGE 1

A TRUE COPY CERTIFY  
DAVID J. MALAND, CLERK  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

By: Bandy Stein


CIV. ORDER BOOK  
V 67 P 85

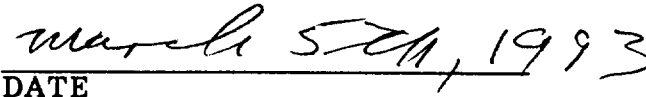
record now advise this Honorable Court as follows:

1. Defendants herein, in each and any of their respective capacities, have offered, in writing, to allow all Plaintiffs herein, in each and any of their respective capacities, to take judgment against all Defendants, jointly and severally, for and in a total amount of One Hundred Thousand and No/100 Dollars (\$ 100,000.00). Said sum is intended to settle any and all claims against any and all of the Defendants herein, jointly and severally, and said sum encompasses any and all items of damage, including but not limited to, any attorneys' fees, costs and interest.

2. Plaintiffs herein, in each and any of their respective capacities, have accepted said offer of judgment in writing. Exhibit "A", attached hereto and incorporated herein is a letter from Plaintiffs' counsel confirming such acceptance.

IT IS THEREFORE NOW HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiffs herein recover of Defendants herein, jointly and severally, the sum of One Hundred Thousand and No/100 (\$ 100,000.00).

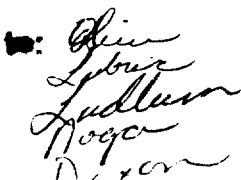
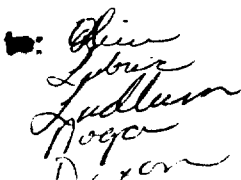
  
JUDGE PRESIDING

  
DATE

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AGREED ORDER OF JUDGMENT PURSUANT TO  
FEDERAL RULE OF CIVIL PROCEDURE 68 - PAGE 2

Mld 3-8-93

to:   
Boardman  
  
Nixon

THE LAW FIRM OF  
**JEFFERY M. DIXON, P.C.**  
5601 N. MACARTHUR BOULEVARD, SUITE 105  
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March 1, 1993

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Mr. Darrell Noga  
Cowles & Thompson  
901 Main Street, Suite 4000  
Dallas, TX 75202-3793

Exhibit "A"

Attorney for Defendants, Smith, Sandlin & Owen

Mr. David LaBrec  
Mr. Kevin Oliver  
Strasburger & Price  
901 Main Street, Suite 4300  
Dallas, TX 75202

Re: Marshall Vann, et al  
v.  
City of Lewisville, TX et al  
U.S. District Court  
Sherman Division  
No. 4-91-CV-181

Attorneys for Defendants, Ruthart & Clubb

Mr. James Ludlum, Jr.  
Ludlum & Ludlum  
The Enterprise Plaza  
Austin, TX 78728

Attorney for Defendants, City of Lewisville, Texas &  
Lewisville Police Chief, Steve McFadden

Gentlemen:

In response to your letter of February 19, 1993, the Plaintiffs, and each of them in their several capacities, agree to take Judgment against each of the Defendants, jointly and severally, in their several capacities, and will accept the sum of One Hundred Thousand and No/100 Dollars (\$ 100,000.00) to settle any and all claims they may have against the Defendants, pursuant to Rule 68, Federal Rules of Civil Procedure, and Article 6, Paragraph 9 of the local Court rules.

Sincerely,

JEFFERY M. DIXON, P.C.



JEFFERY M. DIXON

JMD/lbb

cc: Judge Paul Brown  
U.S. District Court